

A-944-46



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION GWYNN OAK WOODLAWN 1	SHEET NW 3-E
DATE OF PHOTOGRAPHY JANUARY 1986	437	

94-446-A



BALTIMORE  
OFFICE OF PLANNING



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: May 25, 1994

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 431, 432, 433, 435, 436, 437, 438, 442 and 443.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*  
Division Chief: *Carol L. Rims*

PK/JLL:lw

ZAC, 431/PZONE/ZAC1

Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

5-25-94

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. # 437 (JCM)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
*Bob Small*  
for *DAVID N. KATZ, ACTING CHIEF*  
John Constable, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/20/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP 1109

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SECDLON

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING FIRE NUMBERS: 429, 431, 432, 433, 434, 435, 436, 437, 438, 439, 441, 442, 443, AND 443.

RECEIVED  
MAY 20 1994  
ZADM

REVIEWER: LT. ROBERT P. SAUERBAUD  
Fire Marshal Office, PHONE 307-4891, MB-1102F

cc: File

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 20, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Zedekiah Brown and Rosita Samuels  
5708 Gwynn Oak Avenue  
Woodlawn, Maryland 21207

Re: CASE NUMBER: 94-446-1 Item 437  
5708 Gwynn Oak Avenue  
W/S Gwynn Oak Avenue, 500' NE of c/I Gwynn Oak Avenue  
2nd Election District - 2nd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before May 22, 1994. The closing date (June 8, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Carol Jablon*  
Arnold Jablon  
Director

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Provisional Approval  
Permit No: 94-446-1

DATE: 6-1-94

LOCATION: 5708 Gwynn Oak Avenue

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions:  
(Please check appropriate box(es))

☒ Owner has filed for a public hearing, Item # 437.

☐ Owner must file for a public hearing within \_\_\_\_\_ days before the Zoning Commissioner requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within \_\_\_\_\_ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above-referenced permit.

However, in the event that all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

*Carol Jablon*  
Director, P.A.D.

I have read the above statement and I agree to abide by the decision of the Zoning Commissioner in this matter. I also hereby certify that I the undersigned am in fact the owner and if applicable the contract purchaser and not just an agent for same.

Signed *Reeta Samuels*  
Owner

Signed \_\_\_\_\_  
Contract Purchaser

(Please print clearly)

Name *Reeta Samuels*  
Address *5708 Gwynn Oak Ave*  
City *Towson*  
State *MD*  
Zip *21204*

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_  
Zip \_\_\_\_\_

Work Phone *410-254-2505*  
Home Phone *410-254-2505*

Re: 5708 Gwynn Oak Ave  
Reeta Samuels

MR GREGGS -  
I HAVE BEEN UNABLE TO  
Reach You By Telephone.  
This Form Must Be Completed  
WHERE INDICATED AND RETURNED  
TO MY ATTENTION.  
*David M. Long*

May 13th 1994

Mr. Arnold Jablon  
Director of ZADM  
111 W. Chesapeake Avenue - Room 109  
Baltimore, Maryland 21204.

Dear Sir:

We request a conditional approval of a variance petition for wheelchair ramp at 5708 Gwynn Oak Avenue, Baltimore, Maryland 21207. We have a problem with the set back requirements. The home owner's son has not been able to leave the house for 10 months because of this problem and others.

We request conditional approval with the understanding that if relief is denied, the ramp will be removed and conditions will be returned to their current state.

Very truly yours,  
*Mark Gregg*  
Mark Gregg, President  
Homestead Contractors, Inc.

RECEIVED  
MAY 16 1994  
ZADM

IN RE: PETITION FOR ADMIN. VARIANCE  
W/S Gwynn Oak Avenue, 500' NE of  
the c/l of Gwynndale Avenue  
(5708 Gwynn Oak Avenue)  
2nd Election District  
2nd Councilmanic District  
Zedakiah Brown, et al  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-446-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the property, Zedakiah Brown and Rozita Samuels. The Petitioners seek relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section X.A.3 of the 1945 Regulations to permit a front yard setback of 6 feet in lieu of the required 16 feet for a proposed wheelchair ramp in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8<sup>th</sup> day of June, 1994 that the Petition for Administrative Variance seeking relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section X.A.3 of the 1945 Regulations to permit a front yard setback of 6 feet in lieu of the required 16 feet for a proposed wheelchair ramp, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 6/13/94  
By [Signature]

- 2 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

June 8, 1994

(410) 887-4386

Mr. Zedakiah Brown  
Ms. Rozita Samuels  
5708 Gwynn Oak Avenue  
Baltimore, Maryland 21207

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
W/S Gwynn Oak Avenue, 500' NE of the c/l of Gwynndale Avenue  
(5708 Gwynn Oak Avenue)  
2nd Election District - 2nd Councilmanic District  
Zedakiah Brown, et al - Petitioners  
Case No. 94-446-A

Dear Mr. Brown and Ms. Samuels:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

#### EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 5708 Gwynn Oak Ave.  
(address)  
Election District 2nd Councilmanic District 2nd

Beginning at a point on the West side of \_\_\_\_\_  
(north, south, east or west)  
Gwynn Oak Ave. which is 60'  
(street on which property fronts) (number of feet of right-of-way width)  
wide at a distance of 500' NE of the \_\_\_\_\_  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Gwynndale Ave  
(name of street)  
which is 50' 60" wide wide. \*Being Lot # 15  
(number of feet of right-of-way width)

Block \_\_\_\_\_, Section # N/A in the subdivision of  
Addition to Gwynndale  
(name of subdivision) as recorded in Baltimore County Plat  
Book # 17, Folio # 73, containing  
6940 SF .16 acres  
(square feet and acres)

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_\_\_, Folio \_\_\_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 21' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

7

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 2nd Date of Posting 5/14/94  
Posted for: Variances  
Petitioner: Rozita Samuels & Zedakiah Brown  
Location of property: 5708 Gwynn Oak Ave., etc.  
Location of Sign: Frontage on property being zoned  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 5/21/94  
Number of Signs: 1

JCM  
HAS RECEIPT.  
Pet'r Paid  
\$85.00

MICROFILMED

#### Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5708 Gwynn Oak Ave. 21207  
which is presently zoned OS 5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B, 1802.3.C, and X.A.3 (m.s.d.), To Permit a front yard setback of 6' in lieu of the required 16' (for wheelchair ramp).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons. (Indicate hardship or practical difficulty)

Handicap ramp needs to go to top of hill to be effective.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Owner: Rozita Samuels & Zedakiah Brown  
(Type or Print Name) (Type or Print Name)  
Signature: [Signature] Signature: [Signature]  
Address: 5708 Gwynn Oak Ave. Address: Baltimore, MD 21207  
City: Baltimore State: MD Zipcode: 21207  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zipcode: \_\_\_\_\_  
Name, Address and phone number of representative to be contacted: Mik Evans  
2517 Camden Road Rd. 466-0127  
Baltimore, MD 21216

ORDER RECEIVED FOR FILING  
Date 6/13/94  
By [Signature]

REVIEWED BY: JCM DATE: 5-11-94  
ESTIMATED POSTING DATE: 5-22-94 Printed with Carbon Ink on Recycled Paper  
ITEM # 437

#### Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereon; on the event that a public hearing is scheduled in the future with regard thereto;

That the Affiant(s) does/do presently reside at: 5708 Gwynn Oak Ave.  
City: Baltimore State: MD Zip Code: 21207

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: Handicap ramp needs to go up to top of hill in order to be effective.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature] [Signature]  
Rozita Samuels Zedakiah Brown  
(Type or Print Name) (Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:  
I HEREBY CERTIFY: this 13 day of June, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared  
Rozita Samuels & Zedakiah Brown

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts heretofore set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal  
6/13/94  
NOTARY PUBLIC  
My Commission Expires: 6-15-96

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:  
Item No.: 437  
Petitioner: Rozita Samuels  
Location: 5708 Gwynn Oak Ave Baltimore 21207  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: SAME  
ADDRESS: \_\_\_\_\_  
\* PHONE NUMBER: 466-0127

MUST BE SUPPLIED

MICROFILMED



A-944-46



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION GWYNN OAK WOODLAWN	SHEET NW 3-E
DATE OF PHOTOGRAPHY JANUARY 1986	437	

94-446-A



BALTIMORE  
OFFICE OF PLANNING



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: May 25, 1994

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 431, 432, 433, 435, 436, 437, 438, 442 and 443.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*  
Division Chief: *Carol L. Rens*

PK/JLL:lw

ZAC, 431/PZONE/ZAC

Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

5-25-94

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. 437 (JCM)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
*Bob Small*  
for *DAVID N. KATZ, ACTING CHIEF*  
John Constable, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717  
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Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/20/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP 1109

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 429, 431, 432, 433, 434, 435, 436, 437, 438, 439, 441, 442, 443 AND 443.

RECEIVED  
MAY 20 1994  
ZADM

REVIEWER: LT. ROBERT P. SAUERBAUD  
Fire Marshal's Office, PHONE 307-4891, MB-1102F

cc: File

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

May 20, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Zedekiah Brown and Rosita Samuels  
5708 Gwynn Oak Avenue  
Woodlawn, Maryland 21207

Re: CASE NUMBER: 94-446-1 Item 437  
5708 Gwynn Oak Avenue  
W/S Gwynn Oak Avenue, 500' NE of c/I Gwynn Oak Avenue  
2nd Election District - 2nd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before May 22, 1994. The closing date (June 8, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
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PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Carol Jablon*  
Arnold Jablon  
Director

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Provisional Approval  
Permit No: 94-446-1

DATE: 6-1-94

LOCATION: 5708 Gwynn Oak Avenue

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions:  
(Please check appropriate box(es))

☒ Owner has filed for a public hearing, Item # 437.

☐ Owner must file for a public hearing within \_\_\_\_\_ days before the Zoning Commissioner requesting relief from all conflicts with the Baltimore County Zoning Regulations.

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*Carol Jablon*  
Director, C.A.D.M.

I have read the above statement and I agree to abide by the decision of the Zoning Commissioner in this matter. I also hereby certify that I the undersigned am in fact the owner and if applicable the contract purchaser and not just an agent for same.

Signed *Reeta Samuels*  
Owner

Signed \_\_\_\_\_  
Contract Purchaser

(Please print clearly)

Name *Reeta Samuels*  
Address *5708 Gwynn Oak Ave*  
City *Towson*  
State *MD*  
Zip *21204*

Name \_\_\_\_\_  
Address \_\_\_\_\_

Work Phone *410-254-5005*  
Home Phone *410-254-5005*

Re: 5708 Gwynn Oak Ave  
Reeta Samuels

MR GREGG'S -  
I HAVE BEEN UNABLE TO  
REACH YOU BY TELEPHONE.  
THIS FORM MUST BE COMPLETED  
WHERE INDICATED AND RETURNED  
TO MY ATTENTION.  
*David M. Long*

May 13th 1994

Mr. Arnold Jablon  
Director of ZADM  
111 W. Chesapeake Avenue - Room 109  
Baltimore, Maryland 21204.

Dear Sir:

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Homestead Contractors, Inc.

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MAY 16 1994  
ZADM

IN RE: PETITION FOR ADMIN. VARIANCE  
W/S Gwynn Oak Avenue, 500' NE of  
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2nd Election District  
2nd Councilmanic District  
Zedakiah Brown, et al  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-446-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the property, Zedakiah Brown and Rozita Samuels. The Petitioners seek relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section X.A.3 of the 1945 Regulations to permit a front yard setback of 6 feet in lieu of the required 16 feet for a proposed wheelchair ramp in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of June, 1994 that the Petition for Administrative Variance seeking relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section X.A.3 of the 1945 Regulations to permit a front yard setback of 6 feet in lieu of the required 16 feet for a proposed wheelchair ramp, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 6/13/94  
By [Signature]

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

June 8, 1994

(410) 887-4386

Mr. Zedakiah Brown  
Ms. Rozita Samuels  
5708 Gwynn Oak Avenue  
Baltimore, Maryland 21207

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
W/S Gwynn Oak Avenue, 500' NE of the c/l of Gwynndale Avenue  
(5708 Gwynn Oak Avenue)  
2nd Election District - 2nd Councilmanic District  
Zedakiah Brown, et al - Petitioners  
Case No. 94-446-A

Dear Mr. Brown and Ms. Samuels:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

#### EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 5708 Gwynn Oak Ave.  
(address)  
Election District Second Councilmanic District Second  
Beginning at a point on the West side of \_\_\_\_\_  
(north, south, east or west)  
Gwynn Oak Ave. which is 60'  
(street on which property fronts) (number of feet of right-of-way width)  
wide at a distance of 500' NE of the \_\_\_\_\_  
(number of feet) (north, south, east or west)  
centerline of the nearest improved intersecting street Gwynndale Ave  
(name of street)  
which is 50' 60" wide wide. \*Being Lot # 15  
(number of feet of right-of-way width)  
Block \_\_\_\_\_, Section # N/A in the subdivision of  
Addition to Gwynndale  
(name of subdivision) as recorded in Baltimore County Plat  
Book # 17, Folio # 73, containing  
6940 SF .16 acres  
(square feet and acres)

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_\_\_, Folio \_\_\_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 21' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

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#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 2nd Date of Posting 5/14/94  
Posted for: Variances  
Petitioner: Rozita Samuels & Zedakiah Brown  
Location of property: 5708 Gwynn Oak Ave., etc.  
Location of Sign: Front, side, ex. property being zoned  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 5/21/94  
Number of Signs: 1

JCM  
HAS RECEIPT.  
Pet'r Paid  
\$85.00

MICROFILMED

#### Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5708 Gwynn Oak Ave. 21207  
which is presently zoned OS 5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B, 1802.3.C, 1802.3.D, AND X.A.3 (m.s.d.), To Permit a front yard setback of 6' in lieu of the required 16' (for wheelchair ramp).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons. (Indicate hardship or practical difficulty)

Handicap ramp needs to go to top of hill to be effective.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Owner: Rozita Samuels & Zedakiah Brown  
(Type or Print Name) (Type or Print Name)  
Signature: [Signature] Signature: [Signature]  
Address: 5708 Gwynn Oak Ave. Address: Baltimore, MD 21207  
City: Baltimore State: MD Zipcode: 21207  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zipcode: \_\_\_\_\_  
Name, Address and phone number of representative to be contacted: \_\_\_\_\_  
A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, to be held on \_\_\_\_\_ at \_\_\_\_\_ o'clock, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

ORDER RECEIVED FOR FILING  
Date 6/13/94  
By [Signature]

REVIEWED BY: JCM DATE: 5-11-94  
ESTIMATED POSTING DATE: 5-22-94 Printed with Carbon Ink on Recycled Paper  
ITEM # 437

#### Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereon; on the event that a public hearing is scheduled in the future with regard thereto;

That the Affiant(s) does/do presently reside at: 5708 Gwynn Oak Ave.  
City: Baltimore State: MD Zip Code: 21207

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address, to-wit: Handicap ramp needs to go up to top of hill in order to be effective.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature] [Signature]  
Affiant(s) Zedakiah Brown Rozita Samuels  
(Type or Print Name) (Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY: this 13 day of June, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Rozita Samuels & Zedakiah Brown

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts heretofore set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/13/94  
NOTARY PUBLIC

My Commission Expires: 6-15-96

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:  
Item No.: 437  
Petitioner: Rozita Samuels  
Location: 5708 Gwynn Oak Ave Baltimore 21207  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: SAME  
ADDRESS: \_\_\_\_\_  
\* PHONE NUMBER: 466-0127

MUST BE SUPPLIED

MICROFILMED